

BILL NO. G-89-06-10 (as amended)

1 GENERAL ORDINANCE NO. G- 17-87
2 AN ORDINANCE OF THE COMMON COUNCIL
3 OF THE CITY OF FORT WAYNE, INDIANA
4 RE: THE HIRING OF CONSULTANTS
5 BY THE CITY OF FORT WAYNE, INDIANA

6 WHEREAS, I.C. 36 does not fully establish procedures
7 for the regulation of the hiring of consultants for their
8 information, advice and counsel to the City of Fort Wayne,
9 Indiana, in the administration of its government and/or to any
10 City-owned and/or operated utility; and

11 WHEREAS, I.C. 36-4-6-18 confers upon the Common
12 Council of the City of Fort Wayne, as a legislative body of the
13 City authority to pass Ordinances, Orders, Resolutions and Motion
14 for the government of the City, the control of the City's
15 property and finances, and the appropriation of money; and

16 WHEREAS, it is necessary for the City of Fort Wayne,
17 Indiana to establish by Ordinance, a procedure regulating the
18 hiring of consultants by the City of Fort Wayne, Indiana; and

19 WHEREAS, Section 2-8.4 of the Municipal Code of the
20 City of Fort Wayne, "Hiring and Monitoring of Consultants", does
21 not adequately provide for the proper review by the Common
22 Council of the City of Fort Wayne of the hiring of consultants by
23 the City of Fort Wayne, Indiana.

24 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
25 THE CITY OF FORT WAYNE, INDIANA:

26 Section 1. That Section 2-8.4 of the Municipal Code of the
27 City of Fort Wayne is repealed.

28 Section 2. That pursuant to I.C. 36-1-3-4 (b) and I.C.
29 36-4-6-18 there is hereby adopted this Ordinance prescribing an
30 exclusive manner for the exercising of the power of contracting
31 with an employment of consultants by the City of Fort Wayne,
32 Indiana either in the exercise of its civil governmental
function, or in the exercise of its power over any City-owned
and/or operated utilities.

1 Section 3. The term "emergency" wherever used in this
2 section shall be defined as an extraordinary situation or
3 condition, whether caused by nature or otherwise, that would
4 require an unusually high provision of governmental services or
5 that would disrupt or interfere, or threaten to disrupt or
6 interfere, with the prompt and proper provision of governmental
7 services and/or protection of the general public.

8 Section 4. The word "consultant" or "consultants"
9 whenever used in this section shall mean any person, firm and
10 entity, who executes a contract with the City or any of the City
11 utilities for the purposes of providing professional or expert or
12 technical advice to the City or any of its utilities.

13 Section 5. All contracts and/or contractual
14 arrangements to employ or to utilize the services of a consultant
15 or consultants with the City of Fort Wayne, Indiana, either for
16 civil, governmental or utility purposes, shall be approved by the
17 Mayor or the Board of Works and Safety of the City of Fort Wayne.
18 Prior to the Mayor's or the Board of Works and Safety's execution
19 of said contracts and/or contractual arrangements, the Common
20 Council shall certify and approve by ordinance the need for the
21 services of a consultant or consultants, when the amount to be
22 paid to said consultant or consultants, when extrapolated over
23 one (1) full year is equal to or greater than the amount
24 specified in the ordinance governing the approval of City and
25 City Utilities purchases of supplies.

26 Section 6. All such contracts or agreements with a
27 consultant or consultants, hereafter entered into without such
28 prior approval by the Common Council of the City of Fort Wayne,
29 shall be null and void.

30 Section 7. In the case of emergency only may the City
31 of Fort Wayne, Indiana, enter into a contract or agreement for
32 the hiring and employment of consultants without the necessity of
prior approval by the Common Council of the City of Fort Wayne.

 Section 8. If any questions arise as to the terms of
any contracts for the employment of consultants by the City of

Fort Wayne, the City Controller or his/her representative or
1 designee shall meet and confer with the Common Council for the
2 purposes of answering any and all such questions.

3 Section 9. This Ordinance shall be in full force and
4 effect from and after its passage and any and all necessary
5 approval by the Mayor.

6 David C. Long

7 Councilmember
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OF THE CITY OF FORT WAYNE, INDIANA
RE: THE HIRING OF CONSULTANTS
BY THE CITY OF FORT WAYNE, INDIANA

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WHEREAS, it is necessary for the City of Fort Wayne, Indiana to establish by Ordinance, a procedure regulating the hiring of consultants by the City of Fort Wayne, Indiana; and

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Section 2. That pursuant to I.C. 36-1-3-4 (b) and I.C. 36-4-6-18 there is hereby adopted this Ordinance prescribing

1 an exclusive manner for the exercising of the power of con-
2 tracting with an employment of consultants by the City of
3 Fort Wayne, Indiana either in the exercise of its civil gov-
4 ernmental function, or in the exercise of its power over any
5 City-owned and/or operated utilities.

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9 require an unusually high provision of governmental services
10 or that would disrupt or interfere, or threaten to disrupt
11 or interfere, with the prompt and proper provision of gov-
12 ernmental services and/or protection of the general public.

13 4. The word "consultant" or "consultants", whenever
14 used in this section shall mean any person, firm and entity,
15 who executes a contract with the City or any of the City
16 utilities for the purposes of providing professional or
17 expert or technical advice to the City or any of its
18 utilities.

19 Section 5. All contracts and/or contractual arrange-
20 ments to employ or to utilize the services of a consultant
21 or consultants with the City of Fort Wayne, Indiana, either
22 for civil, governmental or utility purposes, shall be first
23 approved by the Mayor of the City of Fort Wayne. Prior to
24 the Mayor's execution of said contracts and/or contractual
25 arrangements, the Common Council shall certify and approve
26 by ordinance the need for the services of a consultant or
27 consultants, when the amount to be paid to said consultant or
28 consultants, when extrapolated over one (1) full year is
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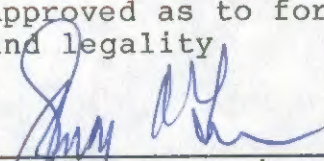
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17 or designee shall meet and confer with the Common Council
18 for the purposes of answering any and all such questions.

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20 effect from and after its passage and any and all necessary
21 approval by the Mayor.

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23 
COUNCILMEMBER

24 Approved as to form
25 and legality

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27 Stanley A. Levine
28 Attorney for the Common Council
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Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: 6-27-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LAST~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>			
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>STIER</u>				
<u>TALARICO</u>	<u>✓</u>			

DATED: 6-27-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL) _____

(SPECIAL) _____ (ZONING MAP) _____ ORDINANCE _____ RESOLUTION NO. 5-17-89
on the 27th day of June, 1989,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1989, at the hour of 11:00 o'clock 11 M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 7th day of July, 1989, at the hour of 3:12 o'clock PP M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

General Ordinance No. G-

AN ORDINANCE OF THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA
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BY THE CITY OF FORT WAYNE, INDIANA

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23 ^{OR THE BOARD OF WORKS AND SAFETY} approved by the Mayor of the City of Fort Wayne. Prior to
24 ^{OR BOARD OF WORKS AND SAFETY'S} the Mayor's execution of said contracts and/or contractual
25 arrangements, the Common Council shall certify and approve
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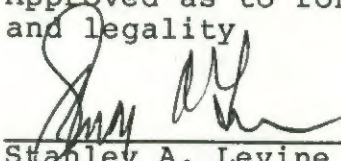
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23 COUNCILMEMBER

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25 and legality

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27 Stanley A. Levine
28 Attorney for the Common Council
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BILL NO. G-89-06-10 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

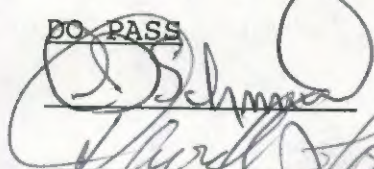
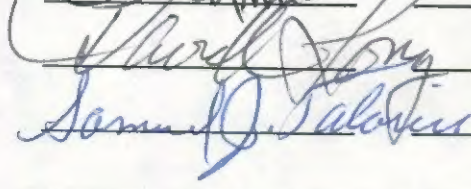
JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
STIER, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ ^{XXXXXXXXXX} OF THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA RE: THE HIRING OF
CONSULTANTS BY THE CITY OF FORT WAYNE, INDIANA

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND
BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID

(ORDINANCE) ~~(RESOLUTION)~~ _____

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____

DATED: 6-27-89.

Sandra E. Kennedy
City Clerk